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*\*All Correspondences to NJ Office*

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*Via ECFS*

**Re: FCC COMMENT  
02-278 – Rules and Regulations Implementing the TCPA of 1991**

My name is Ari Marcus and I am writing today to implore the commission to consider the wants and needs of the American consumer over the needs of those seeking permission to call and harass consumers with no fear of repercussion.

I represent a myriad of American consumers who would be gravely harmed if the industry petitions are granted. As an example, I represented a young father of three little girls, named David, who was recently diagnosed with Stage 4 Pancreatic Cancer. With his medical bills piling up, and his inability to work, he got behind on his mortgage bills. In return, his mortgage servicer began incessantly calling his cellular telephone. He informed them in the clearest way that a) he does not want these calls, b) that he was sick with stage 4 cancer, and c)\*\*that the stress that these calls were having on him made his condition worse. The callers reply was that not only are they allowed to continue to call him, but that they would continue to do so on a daily basis.

The calls came in while his was sitting through chemo, while he was at his therapist's office, and worst off while he was spending what time he has left with his three little girls. Each time he saw the caller id, it made him feel physically sick and impacted the time he was spending with his children.

The petition currently before the FCC would allow the above conduct to continue without any fear of repercussion. While the petition tries to argue that the only real concern should be

from telemarketers who call random people, it is in fact examples such as above that the American consumer finds most distressing.

This is not a partisan issue. Every single consumer who I spoke to feels the same way. I urge the FCC to consider the story of David and those like him, instead of the tens of nearly identical comments from the petitioners' side.

Respectfully Submitted,

/s/ Ari Marcus  
Ari Marcus, Esq.